IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

O R D E R

S.B.CRIMINAL MISC. PETITION NO. 432/2006
(Rugnathsingh Vs. State of Rajasthan & Anr.)

Date of Order : 23/08/2006

PRESENT

HON'BLE MR. JUSTICE H.R.PANWAR

Mr. R.K.Bishnoi for the petitioner
Mr. Ashok Upadhyay, public prosecutor.

BY THE COURT:-

By the instant criminal misc. petition under Section 482 Cr.P.C., the petitioner has challenged the order dated 05.04.2005 passed by Judicial Magistrate, Balesar (for short 'the trial court' hereinafter) whereby the trial court took the cognizance of the offences under Sections 147, 384 and 500/149 IPC against the present petitioner as also against 10 to 11 others.

I have heard learned counsel for the petitioner. Carefully gone through the order impugned.

After investigation, the police filed a challan against the present petitioner and other co-accused and thereafter the

trial court took the cognizance of the offences noticed above. From the perusal of the order impugned, it appears that on the basis of material placed before the trial court, the trial court came to the conclusion that there is sufficient ground to proceed against the present petitioner and other co-accused and accordingly took the cognizance of the offences. The order taking cognizance cannot be said to be erroneous in any manner warranting interference in the inherent jurisdiction. It cannot be said that the order impugned would result in serious miscarriage of justice or abuse of process of the Court.

The petition is therefore, dismissed. Stay petition also stands dismissed.

(H.R.PANWAR),J.

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